

Utilities Department defends its Madison water position

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LAKE COUNTY - The construction of the new Madison Middle School near the Madison High School campus and public library has managed to put Madison Village at odds with the Lake County Department of Utilities.

LCDU has maintained the new middle school is in its service area and the village believes it has the right to provide water service to the school.

At the Oct. 17 Madison Village Council meeting, Utilities Committee chairman, Councilman John Hamercheck said, "The tap-in dispute centers around the LCDU's interpretation of the bulk water agreement (with the village)."

He said the village did not believe the area it provides water to should be limited by the municipal boundaries.

LCDU sanitary engineer Al Saari and director of water Randy Rothlisberger were asked to respond and explain the county's position.

Saari referred to his Oct. 3 letter to the village law director, Joseph Szeman, in which he referred to Section 3 of the Sept. 9, 2010 agreement between LCDU and the village which stated, "The geographical area to be supplied by the Board with master meter surplus water under this Agreement shall be limited to the existing service district of the Village of Madison..."

Simply put, the contract signed last year specifically limits the village's service district.

* The letter further stated that a map prepared by the village engineer indicated

that the middle school property and the high school are both outside the agreed-to service district.

Asked who provided the high school with water and sanitary sewer service, Saari said the village did. However, LCDU was unable to find any paperwork of any kind in which the county had agreed to allow the village to provide water and sanitary services to the high school.

"What we did find out was that back in '69 when they built the high school, at that point in time, the sanitary engineer for the county was a man by the name of Dudley Rose, but Dudley was not an engineer, so I don't know why he was put in that position," Saari said. "Dudley was also the mayor of Madison Village."

He noted, at that time, the village had its own water system. However, the water field went bad in the early 1990s and the village arranged to purchase water from the county.

Asked why LCDU allowed Madison Village to provide the sanitary service to the middle school, Saari said it was determined the cost for the school to run a sanitary line all the way down Burns Road to be serviced by the county would have imposed a financial hardship on the school. For that reason LCDU relented.

"The county's water system ends on Burns Road, right on the tip of the school property," Saari said.

The school would then just need to run a water line across its property for 2,161 feet.

Rothlisberger said the cost estimate was \$130,000 to

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run a 10-inch pipe that far, but his understanding was that it was to be changed to an 8-inch pipe which would reduce the cost.

At the meeting, Hamercheck said, "... the LCDU also apparently did not advise the school's engineers that they are demanding the schools tie into a low flow, dead-end connection on Burns Road."

Saari said LCDU has never had a problem with water quality; otherwise the EPA would have been on them about it.

"I think we're the only water system in the state of Ohio that has won two awards from EPA on our water quality," he said.

Saari said the village also had a dead end system.

Rothlisberger said the county system has a system in place to make sure the water does not get stagnant and the water is tested regularly.

Asked about the cost for the water line and whether it was worth it to dispute the

issue since the taxpayers would be paying the costs, Saari said, "One of the key issues that they're not providing you is that by getting water from the county directly, it's going to be 40 percent less than what the village would charge them."

Rothlisberger calculated the school would take six years to pay off the cost of the water line and from then on it would save on water over the village charges.

"I think that's a good thing for the taxpayers over the long haul," Saari said.

Asked for a comment about the village wanting to go to court, Saari responded, "We have an agreement that says they can't do this, so how they think they are going to win is beyond me."

Asked about any legal costs which would, in the end, be paid by the taxpayers, Saari said LCDU is an enterprise fund (not supported by the county general fund), so any legal fees would come from LCDU monies, not the taxpayers.

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